

## **REMARKS/ARGUMENTS**

### **STATUS OF CLAIMS**

In response to the Office Action dated May 7, 2008, claims 1 has been amended. Claims 1-10 are now pending in this application. No new matter has been added.

### **AMENDMENTS TO THE SPECIFICATION**

The Examiner has requested a new Title of the Invention that is clearly indicative of the invention to which the claims are directed.

By this Response, the Title of the Invention has been changed to "A Light-Emitting Device That Includes A Semiconductor Excitation Light Source Emitting Blue-Violet Light And A Solid Material Illuminant Having A Light Absorbent Containing Sm".

Page 5, line 22, page 14, line 25 and page 17, line 23 of the specification have been amended to correct clerical errors.

### **REJECTION OF CLAIMS UNDER 35 U.S.C. § 103**

I. Claims 1 and 3-10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Justel et al. (USPN 6,084k250) in view of Doxsee et al. (US 2004/0159846).

The Examiner maintains that Justel et al. discloses all the features of independent claim 1, except that the solid material illuminant absorbs blue-violet light with said semiconductor excitation light source by Sm contained in the absorbent and radiates light by inner shell transition of Sm (claim 1), and said semiconductor excitation light source emitting blue-violet

light is a semiconductor laser device having an active layer of an InGaN semiconductor (claim 3). Doxsee et al. has been relied upon by the Examiner as disclosing these features, referring to paragraphs [0011], [0003] and [0030].

To expedite prosecution, independent claim 1 has been amended to delineate;

a content of Sm in the illuminant is 0.01 to 10 mol %.  
A light-emitting device comprising:  
a semiconductor excitation light source emitting blue-violet light, and  
a solid material illuminant having an absorbent for said blue-violet light containing Sm *of 0.01 to 10 mol%*, wherein  
said solid material illuminant radiates light by inner shell transition of Sm *by blue-violet light absorption*.

The subject matter is disclosed in the present application at, for example, page 6, lines 12-14 and 24-28.

Neither Justel et al. nor Doxsee et al. disclose or suggest a solid material illuminant having an absorbent for said blue-violet light containing Sm of 0.01 to 10 mol% and where the solid material illuminant radiates light by inner shell transition of Sm by blue-violet light absorption. Therefore, amended independent claim 1 and claims 3-10 are patentable over Justel et al. and Doxsee et al.

II. Claim 2 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Justel et al. in view of Doxsee et al., as applied to claims 1 and 3, and further in view of Maede et al. (JP Application 20030-1101500).

Claim 2 depends directly from amended independent claim 1 and Maede et al. does not remedy the above-noted deficiency of Justel et al. and Doxsee et al. with respect to amended independent claim 1. Therefore, claim 2 is patentable over Justel, Doxsee et al. and Maede et al.

III. In view of the above, the allowance of claims 1-10, as amended, is respectfully solicited.

### CONCLUSION

In view of the above, applicant(s) believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise (Reg. No. 34,523) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By  441  
Charles Gorenstein

Registration No.: 29,271  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant